

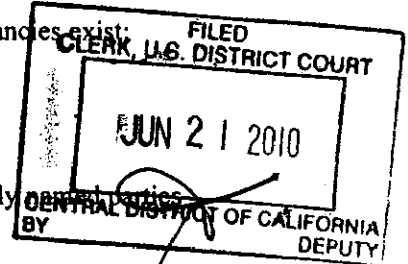
**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF DOCUMENT DISCREPANCIES

To: ☒ U.S. District Judge / ☐ U.S. Magistrate Judge Klausner
 From: T. Durant, Deputy Clerk Date Received: 6-17-10
 Case No.: CV10-1791 RGK(SHX) Case Title: St. Luke School of medicine v Republic of Liberia
 Document Entitled: Plf. Amended Opp. to Def. ECFMG & Fairer's Motion to Dismiss etc.

Upon the submission of the attached document(s), it was noted that the following discrepancies exist:

- | | |
|--|---|
| <input type="checkbox"/> Local Rule 11-3.1 | Document not legible |
| <input type="checkbox"/> Local Rule 11-3.8 | Lacking name, address, phone and facsimile numbers |
| <input type="checkbox"/> Local Rule 11-4.1 | No copy provided for judge |
| <input type="checkbox"/> Local Rule 19-1 | Complaint/Petition includes more than ten (10) Does or fictitiously |
| <input type="checkbox"/> Local Rule 15-1 | Proposed amended pleading not under separate cover |
| <input type="checkbox"/> Local Rule 11-6 | Memorandum/brief exceeds 25 pages |
| <input type="checkbox"/> Local Rule 11-8 | Memorandum/brief exceeding 10 pages shall contain table of contents |
| <input type="checkbox"/> Local Rule 7.1-1 | No Certification of Interested Parties and/or no copies |
| <input type="checkbox"/> Local Rule 6.1 | Written notice of motion lacking or timeliness of notice incorrect |
| <input type="checkbox"/> Local Rule 56-1 | Statement of uncontroverted facts and/or proposed judgment lacking |
| <input type="checkbox"/> Local Rule 56-2 | Statement of genuine issues of material fact lacking |
| <input type="checkbox"/> Local Rule 7-19.1 | Notice to other parties of ex parte application lacking |
| <input type="checkbox"/> Local Rule 16-6 | Pretrial conference order not signed by all counsel |
| <input type="checkbox"/> FRCvP Rule 5(d) | No proof of service attached to document(s) |
| <input type="checkbox"/> Other: | |



☒ GEN Order 08-02: Case designated for E-filing
 Note: Please refer to the court's Internet website at www.cacd.uscourts.gov for local rules and applicable forms.

ORDER OF THE JUDGE/MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

- ☐ The document is to be filed and processed. The filing date is ORDERED to be the date the document was stamped "received but not filed" with the Clerk. Counsel* is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local-Rule 83-7.

Date

U.S. District Judge / U.S. Magistrate Judge

- ☒ The document is **NOT** to be filed, but instead **REJECTED**, and is ORDERED returned to *counsel. *Counsel shall immediately notify, in writing, all parties previously served with the attached documents that said documents have not been filed with the Court.

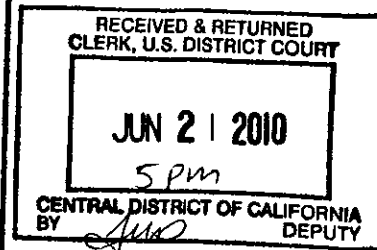
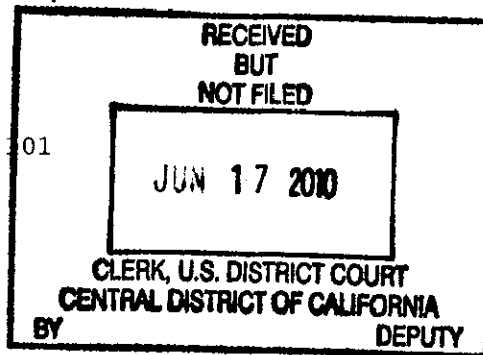
06-21-10

Date

Gay Klausner
 U.S. District Judge / U.S. Magistrate Judge

*The term "counsel" as used herein also includes any pro se party. See Local Rule 1-3.

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THADDEUS CULPEPPER, SBN 220194



UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ST. LUKE SCHOOL OF MEDICINE, et al,

Plaintiff,

vs.

REPUBLIC OF LIBERIA, et al,

Defendant

Case No.: 10-CV-1791 RGK (SHx)

PLAINTIFF'S AMENDED
OPPOSITION TO
DEFENDANTS' ECFMG AND
FAIMER'S MOTION TO
DISMISS FOR LACK OF
JURISDICTION AND FAILURE
TO STATE A CLAIM

DECLARATION BY THADDEUS
J. CULPEPPER IN SUPPORT
THEREOF

DATE: JUNE 21, 2010
TIME: 9:00 AM
CRT: 850

AMENDMENT TO PLAINTIFF'S OPPOSITION

EQUITABLE TOLLING

In accordance to the rules established by Wood v. Elling Corp., 20 Cal.3d 353, 572 P.2d 755, 142 Cal.Rptr. 696 (1977) limiting Bollinger v. National Fire Ins. Co., 25 Cal.2d 399, 154 P.2d 399 (1944), the plaintiff presents the following factual information:

1. St. Luke School of Medicine (SLSOM) obtained a "Clerks Certificate" (Default Certificate) in Liberia Supreme Court against the Republic of Liberia in its action for a Writ of Prohibition on August 22, 2005, and SLSOM also obtained another "Clerks Certificate" in Liberia Civil Court against

1 the Republic of Liberia in its action for Damages for Wrong on
2 October 31, 2006. Final judgments in both cases have been
3 stalled in Liberia in both courts from judicial bias.

4 2. ECFMG-FAIMER never responded to SLSOM's 90-page request for
5 reinstatement into the IMED sent in March 2008 and so further
6 stalled SLSOM. Also ECFMG-FAIMER did not inform SLSOM of its
7 statute of limitations obligations.

8 3. SLSOM was diligent in pursuing its remedy by requesting
9 assignments in Liberia courts to hear for final lawsuit
10 judgments for Writ of Prohibition from Liberia Supreme Court
11 and Damages for Wrong in Liberia Civil Court, but was stalled
12 by judicial bias in Liberia and stalled by ECFMG-FAIMER's
13 failure to respond to SLSOM's request for reinstatement into
14 the IMED, and ECFMG-FAIMER's failure to inform SLSOM of its
15 statute of limitations obligation.
16

17
18 CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 335.1

19 The two year statute of limitations provided by California Code of
20 Civil Procedure section 335.1 is not in any way relevant to this case.
21

22 TOLLING OF CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 340(C) and (D)

23 The one-year statute of limitations provided by California Code of
24 Civil Procedure section 340(C) may or may not be relevant to this
25 action. California Code of Civil Procedure section 340(D) is
26 certainly relevant to this action and was tolled from two lawsuits
27 filed in Liberia. The first lawsuit, filed on July 21, 2005 in
28

1 Liberia Supreme Court was a "Writ of Prohibition". A "Clerks
2 Certificate" was obtain by default of the defendants, the Republic of
3 Liberia, et al, on August 22, 2005. a final judgment was never
4 obtained for this lawsuit because an assignment was never given by the
5 Associate Justice Kabinah Janeh, despite numerous attempts by SLSOM
6 requests by its various lawyers and representatives since 2006. Janeh
7 was named as a defendant in the very same "Writ of Prohibition" filed
8 in 2005 when he was, then, the Minister of Justice. He became an
9 Associate Justice of the Liberia Supreme Court in 2006, and was
10 responsible for the assignment of cases. He never recused himself
11 from SLSOM's "Writ of Prohibition".
12

13
14 An order of the Supreme Court was given on August 10, 2005 to restore
15 SLSOM to "status quo ante", and was sent to the ECFMG. The National
16 Commission on Higher Education also sent two separate requests to
17 ECFMG by letter in October 2005 and December 2005, based on the order
18 of the Supreme Court, to which ECFMG also did not cooperate.
19

20 The second lawsuit, filed on September 18, 2006 in Liberia Civil Court
21 was a "Damages for Wrong" requesting \$120,000,000 in total damages,
22 which requested an alleviation of SLSOM's accreditation problem with
23 ECFMG. A "Clerks Certificate" was obtain by default of the
24 defendants, the Republic of Liberia, et al, on October 31, 2006.
25

26 This lawsuit obtained a final judgment because an assignment was never
27 given despite numerous attempts by SLSOM requests by its various
28 lawyers and representatives since 2006 until now. A civil court

magistrate, in December 2007, stated that SLSOM should readdress its complaint to the Liberia Claims Court, a constitutional entity, that has not been reestablished in Liberia since its unlawful demolition in 1983.

These two lawsuits that were not completed due to judicial bias and unlawful procedure tolled this statute of limitations, California Code of Civil Procedure section 340(D), until now.

TOLLING OF CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 339(1)

The four-year statute of limitations provided by California Code of Civil Procedure section 339(1) is not expired since the civil lawsuit was filed in September 2006. Also because damages not fully accrued (still amounting, still accruing), due to the lack of a final judgment of civil lawsuit in Liberia filled in September 2006. A "Clerks Certificate" was obtained in October 2006. The amount of damages suffered by the plaintiff from the actions of ECFMG-FAIMER have not been ascertained. The accrual of damages is not complete and therefore this statute of limitations is tolled.

Dated this 15th day of June, 2010

Thaddeus Culpepper by [Signature]
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